

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JULIE MACLAY, as Personal
Representative of the Estate of Lia
Christine Hawkins, deceased.

Plaintiff,

LUNDE MARINE ELECTRONICS,
INC.,

Plaintiff in Intervention,

v.

M/V SAHARA, IMO No. 6600826, her
engines, tackle, rigging, equipment and
other appurtenances, in rem; and G
SHIPPING LTD.,

Defendants.

CASE NO. C12-512 RSM

ORDER ON PLAINTIFF'S
MOTIONS IN LIMINE

The Court, having considered Plaintiff's motions in limine (Dkt. # 88), the responses thereto, and the balance of the file, does now find and ORDER:

1. Motion to admit certified copy of Death Certificate.

MOOT by agreement.

1 **2. Motion to admit G Shipping's report to U.S. Coast Guard**

2 GRANTED

3 **3. Motion to exclude OSHA file and any references thereto**

4 GRANTED IN PART. The OSHA file shall not be admitted. Testimony regarding the OSHA
5 investigation may be admitted if plaintiff's witness opens the door.

6 **4. Motion to exclude Seattle Police Department file and references thereto**

7 MOOT by agreement.

8 **5. Motion to exclude evidence or argument on contributory and comparative fault,
9 assumption of risk, and co-worker negligence defenses**

10 GRANTED

11 **6. Motion to exclude Toxicology Report and any evidence of impairment**

12 GRANTED

13 **7. Motion to exclude testimony of defense expert Capt. R. Russell Johnson**

14 DENIED

15 **8. Motion to exclude alleged DUI or criminal acts of Ms. Hawkins**

16 GRANTED

17 **9. Motion to exclude Defense expressions of sympathy that post-date Ms. Hawkins' death**

18 DENIED subject to renewal at trial.

19 **10. Motion to exclude evidence of or references to payment of funeral expenses**

20 DENIED subject to renewal at trial.

21 **11. Motion to exclude witnesses and documents not previously disclosed**

22 MOOT by agreement.

23 **12. Motion to exclude references to settlement negotiations**

1 MOOT by agreement.

2 **13. Motion to exclude references to the parties' motions in limine**

3 MOOT by agreement.

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5 Dated this 5th day of April 2013.

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RICARDO S. MARTINEZ
9 UNITED STATES DISTRICT JUDGE

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